

I have to stay in this place any longer? I won't stay, I tell you; I won't stay," and the girl began rushing madly about the room.

After she had been subdued somewhat Mrs. Clark, the missionary, tried to console her. But Nan would have nothing to do with her. She cried for her mother constantly, and while she was yelling out her mother's name word was received at the prison from Washington that the old lady had also collapsed at the news. This was concealed from the girl, who was forced to lie on a sofa for a while and then taken back to her old cell, where she will remain for the present.

#### DISTRICT ATTORNEY JEROME UNDECIDED.

District Attorney Jerome was loath to say much on the subject of a new trial this afternoon. He did, however, issue his statement: "IT HAS ALWAYS BEEN CUSTOMARY WHERE DISAGREEMENTS HAVE COME IN CASES LIKE THIS TO CONSIDER THE ATTITUDE OF THE JURY. WHERE THE MAJORITY IS IN FAVOR OF CONVICTION WE HASTEN THE NEW TRIAL, WHERE IT IS THE OTHER WAY WE ARE NOT SO FAST. IN AN EVEN JURY I AM NOT SURE WHAT WE WILL DO."

The jury, which was out twenty-four hours and ten minutes deliberating on the fate of Nan Patterson, returned to Justice Vernon M. Davis's court-room at 12:45 o'clock today.

Before returning to the court-room the jury had sent word to the Court that there was no possibility of agreeing on a verdict.

After Clerk Penny had called the roll of the jury the defendant was sent for and brought down from the pen on the first mezzanine floor by Deputy Sheriff Kelly. The young woman was so weak from the strain she had undergone that she had to be supported throughout her progress on the arm of a court attendant.

When she entered Justice Davis's tribunal there was nothing left of her jaunty or springy stride. She simply moved towards her chair swaying from side to side.

#### MUST GO OVER IT ALL AGAIN.

When she sat down she turned toward her father and said: "Father, I feel as they have decided that I must go over it all again. They all seem set against me, and I believe they will hold me and try me once more, and you better go home to mother in Washington and try and comfort her."

As soon as the jury had become seated and the defendant had taken her seat Clerk Penny arose, and at a signal from the Judge, said:

"Gentlemen, have you agreed upon a verdict?"

Foreman Harmer rose from his seat and said, looking toward the Judge:

"We have not."

Justice Davis then said:

"Gentlemen, you have been in deliberation for more than twenty-four hours. You have not been able to agree upon any verdict on the evidence presented to you, and there seems no likelihood in case of what you have said to me of your arriving at any positive decision. Therefore I will have to discharge you."

#### JURORS BOWED AND RETIRED.

The jurors bowed and retired from the court.

After the jury had been discharged Justice Davis had a long conversation with Foreman Thomas M. Harmer. At the conclusion of the conversation Justice Davis said to the reporters:

"I have been informed that the jury stood six for acquittal and six for conviction. As to how the six for conviction stood, as to what degree I have not been informed, nor can I consistently seek any information on the subject."

Mr. Harmer, who was in the room with Justice Davis at the time of this announcement, said:

"I would like to give you gentlemen more information, but previous to our coming into the court-room this morning we adopted a resolution not to make public what transpired in the jury-room."

"But can't you tell us what number of ballots were taken?" Mr. Harmer was asked.

"We only took one," replied the foreman; "but then you know we didn't proceed that way. We found out that there was such a vast difference of opinion that we did nothing else but argue."

FROM OTHER SOURCES IT WAS LEARNED THAT THERE WAS NOT A VOTE AGAINST THE GIRL FOR MURDER IN THE FIRST DEGREE. ONE, IT WAS ASSERTED, WAS AGAINST THE GIRL FOR MURDER IN THE SECOND DEGREE, TWO FOR MANSLAUGHTER IN THE FIRST DEGREE AND THREE FOR MANSLAUGHTER IN THE SECOND DEGREE.

When the jury entered the court-room and took their seats Justice Davis was called from his room. He took his seat upon the bench, when it was discovered that Clerk Penny was among the crowd locked out of the court-room. Nan Patterson had been brought into the room and had taken her seat beside her counsel, Messrs. Unger and O'Reilly. Mr. Unger whispered something into her ear and the actress sobbed convulsively.

#### CALLER FOR HER FATHER.

"Where is my father?" she exclaimed; "bring papa to me at once."

The father, too, had been locked out of the court-room.

There was a wait of fully five minutes, full of anguish to the fair prisoner, until Clerk Penny and her father could be led into the court-room. Through her tears Miss Patterson watched the mobile face of the foreman

## CROWD AT CRIMINAL COURTS WHEN VERDICT WAS ANNOUNCED



and when he arose and replied to the clerk's question as to whether the jury had agreed on a verdict or not, an ashen hue crept over her pallid features.

When Thomas H. Harmer, the foreman of the jury, left the court-room he was at first reticent about saying anything at all of the jury's deliberations. He said that he had been instructed by Justice Davis not to say a word of what went on in the jury-room.

"So you see," he said, "it would hardly be proper for me to talk. At the same time I do not mind saying that we stood six to six from the first to last."

"THERE NEVER WAS A CHANGE IN THE SENTIMENT OF THE JURY FROM THE TIME THE FIRST BALLOT WAS TAKEN UNTIL WE CAST OUR LAST BALLOT AFTER GOING BACK TO-DATE TO TRY AND REACH A VERDICT. WE DISCUSSED THE CASE THOROUGHLY, BUT NO ARGUMENT COULD CHANGE THE SITUATION."

#### WON'T TALK OF COMPROMISE.

"Was any effort made toward a compromise?" was asked.

"That I cannot say," answered Mr. Harmer.

"For what did the six in favor of conviction want to convict Miss Patterson?"

"I will not say what degree they wanted to convict her of. It would not be proper under the circumstances for me to say anything about it."

"Wasn't it manslaughter in the second degree?"

"Well," and Mr. Harmer hesitated a moment, "I don't think I will change my mind about saying nothing of that."

## COIN DECIDED MAN GUILTY

Eleven New Jersey Jurymen Believed Eckhoff Innocent, but Were Won Over by Toss of a Nickel in Jury Room.

A good deal of light was thrown on the problem of why Jersey justice is sometimes very swift today when two of the jurymen who convicted Peter Eckhoff, of Jersey City, last Saturday of a serious crime, admitted to Justice Frank J. Higgins that they reached their verdict by the toss of a nickel.

At the time the toss was made the jury stood eleven to one for acquittal. It was agreed that heads would mean guilty and tails not guilty. The nickel fell with the head up, and the jury of twelve men promptly convicted Eckhoff of a crime of which eleven of them did not believe him guilty.

Wolf told Judge Higgins that he was quite ready to make a statement of all that occurred in the jury room. He said that after a little deliberation a ballot was taken and the jury stood 11 to 1 for acquittal. Then there was some more talk and the jury stood 11 to 1 for acquittal.

"I then made a speech to the jury," said Wolf, "pointing out why this man was guilty. After I was through the foreman, Harry Hancock, came over to my side and another man came over, making it three for acquittal. Later it got back to ten to two and then to eleven to one, and we went into the court room to report that we could not agree. We were sent back and after a lot of talk one man said the only thing to do was to take a long straw and a short straw and to have a man draw them from another man's hand. If the long straw came out he said we would decide that Eckhoff was guilty. If the short straw we would acquit him."

"I objected to this on the ground that it was illegal and did not safeguard the rights of the defendant. Then another juror, I think it was Foreman Hancock, said we would toss a nickel. Again I protested that this was illegal, but they tossed the coin and it came down heads."

"At that time I was the only man standing out for a verdict of guilty. The rest of the coin brought the entire eleven over to me. I kicked at rendering a verdict in this way, and they told me to shut up. That I ought to be satisfied now that the verdict was going my way."

Judge Higgins looked much disgusted during this narration and said that he would see to it that the entire eleven men in a formal order doing this, and then set next Wednesday as the day for a new trial.

He also set next Friday as the day for the appearance of the entire jury before him to show cause why they should not be punished for contempt of court in reaching a verdict in the illegal manner in which they did. He directed court officers to find the jurymen and let them know that it will be unwhimsical for them to fail to appear on Friday next.

## BALTIC HAD A STORMY TRIP

Great Liner Encountered Gales and Snow All the Way Across—One Birth, One Death in the Steerage Keep List at 1,572.

The gigantic White Star liner Baltic was docked at noon today after a stormy, uncomfortable trip from Liverpool and Queenstown of seven days, twenty-two hours and nineteen minutes. Terrific gales were encountered and several snowstorms covered the decks with slush and ice to the distress of the passengers.

On account of her great size the Baltic was reasonably steady in spite of rough weather and there was very little sickness. On the first day out from Queenstown a baby was born to a steerage passenger. On the next day another steerage passenger lost an infant by death. The little one was buried at sea, but the new arrival of the day before had kept the ship's passenger list to the figure it showed when the Baltic left Queenstown, 1,572.

The most interesting passenger was Lady Mary Montagu, the daughter of the Duke and Duchess of Manchester, who was Miss Zimmerman, of Cincinnati. Lady Mary is about two years old and a sweet and jolly child. She was in charge of a nurse, her father and mother having been in this country for several weeks. They were at the pier to meet the little Lady.

When the first enthusiasm of greeting was over Lady Mary insisted upon introducing to her parents Capt. Foley, of the Jamaica Yacht Club. Capt. Foley has a reputation of whiskers that would stuff a moustache. It was the chief enjoyment of Lady Mary on the long voyage to pull the whiskers of the local captain, who took a lot of enjoyment in the operation himself.

FRANCE NEAR BREAKING POINT WITH MOROCCO.

Unless Sultan Recalls His Order Dismissing French Advisors, Consulate Will Be Closed.

PARIS, Dec. 23.—The Foreign Office considers the situation in Morocco to be extremely grave. The Sultan's dismissal of his French and other military advisors has been followed by a number of other acts showing his intention to interrupt the execution of the French policy.

Accordingly the French Minister at Tangiers has been instructed to secure the immediate withdrawal from the Moroccan capital of the French Consul, the commander and all the members of the military mission and all French citizens unless the Sultan vacates his previous offensive action and offers a suitable explanation.

The French Minister has been instructed to communicate this to the Sultan, at the same time he notifies the Consul, military men and citizens to prepare to depart.

The officials here say that no definite military or naval steps have yet been taken as these await the Sultan's response to the minister's demand, but a demonstration in force will follow if a suitable explanation and repudiation are not promptly given.

## NEW LINES FOR INTERBOROUGH FOR BURGLAR

Supreme Court Grants Order Looking to Franchises for Six New Routes in the Bronx—Union Company Opposed.

The Appellate Division, first department, in an opinion handed down this afternoon grants the application of the Interborough Railroad for a railroad franchise in the Bronx. The Court was divided, Justice Patterson, who writes the prevailing opinion, having with him Justices Van Brunt and O'Brien, while Justice Hatch, wrote the dissenting opinion and Justice Loughlin supported him.

The decision was on an application of the Interborough for an order directing the Railroad Commissioners to grant a certificate that the public convenience and necessity require the construction of the proposed railroad.

The application was for eight routes, and the Court awards all but two, which parallel lines of the Union Railway Company.

George W. Wickersham was attorney for the applicants, while Paul D. Cravath opposed for the Union Railway Company. W. H. Page, Jr., opposed for the People's Traction Company.

## DOG BITE VERDICT SET ASIDE BY COURT.

Justice Maclean Says Visitor to Lumber Yard Passed Chained Canine at His Own Peril.

The judgment for \$75 damages and \$12 costs secured by Max Bogdanow, of No. 115 East One Hundredth street, against the New York Lumber Company for being bitten by a chained dog while on a business visit to the lumber yard, was reversed today by the Supreme Court Appellate Division.

Justices Freedman, Glenside and Maclean reversed the award of \$75. In his opinion Justice Maclean says: "Bogdanow's testimony seems to show he wandered within the yard and was not bitten out of sight of his conductor, and so trespassing came within reach of the dog." He said the owner to be liable must have known the dog to be dangerous. This was not proven.

## CANDY FOR XMAS. COUNTER GOODS, LB. 20c.

THE LARGEST LINE IN THE CITY.

Fruit and Nut Butterscots  
Molasses Peppermint Cakes  
Vanilla Butterscots  
Chocolate Butterscots  
Peanut Chips  
Molasses Cream Kisses  
Peanut Chips  
Cinnamon Tablets  
Molasses Rock  
Almond Chips  
Peanut Caramels  
Etc., etc., etc.

Special from December 19th to 24th inclusive.

ONE-POUND BOXES.  
OLD-FASHIONED BARLEY SUGAR  
MIXED CANDY.....LB. 10c

BUTTER PEANUT BUTTER.....LB. 10c

SPECIAL MIXED CANDY—CONSISTING OF VANILLA CHOCOLATE CREAM DROPS, CREAM PEPPERMINTS, AND VANILLA CHOCOLATE DROPS, DATES, FRUIT JELLIES, HONBONS, FRENCH CREAMS, etc., etc.....LB. 13c

HIGH-GRADE BONBONS, CHOCOLATES, GLACE FRUIT, etc., etc.....LB. 25c

HIGH-GRADE CHOCOLATES, SCORES OF KINDS.....LB. 25c

During This Sale We Will Continue Our Special Offer to Sunday-Schools, Churches, Institutions and Fairs:

A 30-pound pail of Mixed Candy and 60 half-pound boxes for.....\$2.25

We will deliver 10 lbs. at the following rates:  
Manhattan Island, 10c.  
Brooklyn, Jersey City, Hoboken and the Bronx, 15c.

No goods sent C. O. D.

54 BARCLAY ST.  
COR. WEST 4TH  
2 STORES 29 CORTLAND ST.  
COR. CHURCH

## AGED FIGHTER OF 69TH DEAD

Capt. Henry Ward, a Veteran of the Mexican and Civil Wars and Member of New York Regiment, at Last Succumbs.

Capt. Henry Ward, a veteran of the Mexican and civil wars, died today at his home, No. 206 Court street, Jersey City. He was seventy-seven years old.

Capt. Ward attained his rank of distinguished services in the "Fighting Sixty-ninth" New York Volunteers, to which regiment he had been transferred from the navy. At the outbreak of the civil war he entered the navy and was promoted to the rank of Lieutenant. After being transferred to the Sixty-ninth he was raised to the rank of Captain for distinguished services.

While serving in Virginia the members of his company grumbled because they had no flag. Capt. Ward had an inspiration. His shirt was white, his underwear blue and red. Tearing them in the proper shapes he sewed a flag from his clothes, under which the company served through the remainder of the war. The flag was gold framed by Tiffany after the war and hung in the armory of the Sixty-ninth Regiment. Ten years ago it was stolen and shortly afterward mysteriously returned.

Capt. Ward was born in Indianapolis. For twenty-five years he was superintendent of the Anchor line pier in New York, and for twelve years superintendent for the Mediterranean line. He will be buried with all military honors Christmas day in the soldiers' plot of the New York Bay Cemetery, Jersey City.

#### AGE DOES NOT COUNT.

NEW BRUNSWICK, N. J., Dec. 23.—The fact that an indictment is found by a Grand Jury, of which a member is over the maximum age, sixty-five years old, is no sufficient ground for the quashing of the indictment. Justice Fort made this ruling today in refusing the motion of Alvin Strong, counsel for the indicted Republican election officials, to quash indictments against them, because John Shultz, one of the jury, was seventy-two years old.

## TORTURING DISFIGURING

Skin, Scalp and Blood Humours

From Pimples to Scrofula, from Infancy to Age

Speedily Cured by Cuticura when All Else Fails.

The agonizing itching and burning of the skin, as in eczema; the frightful scaling, as in psoriasis; the loss of hair and crusting of the scalp, as in scalded head; the facial disfigurements, as in acne and ringworm; the awful suffering of infants and anxiety of worn-out parents, as in milk crust, tetter and salt-rheum—all demand a remedy of almost superhuman virtues to successfully cope with them. That Cuticura Soap, Ointment and Resolvent are such stands proven beyond all doubt. No statement is made regarding them that is not justified by the strongest evidence. The purity and sweetness, the power to afford immediate relief, the certainty of speedy and permanent cure, the absolute safety and great economy, have made them the standard skin cures, blood purifiers and humours remedies of the civilized world.

Bathe the affected parts with hot water and Cuticura Soap, to cleanse the surface of crusts and scales and soften the thickened cuticle. Dry, without hard rubbing, and apply Cuticura Ointment freely to allay itching, irritation and inflammation, and soothe and heal. And, lastly, take Cuticura Resolvent to cool and cleanse the blood. This complete local and constitutional treatment affords instant relief, permits rest and sleep in the severest forms of eczema and other itching, burning and scaly humours of the skin, scalp and blood, and points to a speedy, permanent and economical cure when all else fails.

Sold throughout the world. Cuticura Resolvent, 50c. in form of Chocolate Coated Pills, 25c. per box of 60; Ointment, 25c.; Soap, 25c. Depot: London, 21 Chatterhouse St., E.C. 4. U.S. Depots: Boston, 137 Columbus Ave.; New York, 137 W. 4th St.; Philadelphia, 137 N. 2nd St.; Chicago, 137 N. La Salle St.; St. Louis, 137 N. 3rd St.; San Francisco, 137 N. 3rd St.; Portland, 137 N. 3rd St.; Seattle, 137 N. 3rd St.; Tacoma, 137 N. 3rd St.; Vancouver, 137 N. 3rd St.; Portland, 137 N. 3rd St.; Seattle, 137 N. 3rd St.; Tacoma, 137 N. 3rd St.; Vancouver, 137 N. 3rd St.

The "M. B." Is Favorite for Xmas. "Carry an M. B." Positively Fast Black. Rain-Proof or Money Back. \$1. At All Umbrella Counters. Made by Miller Bros. & Co. 45-47 Lippincott St., N. Y. If your dealer will not furnish this "M. B." you will be supplied by Miller Bros. & Co. Sole Importers. "How to Cure Every Humour"

Telephone Directory Winter Edition Goes to Press FRIDAY, DECEMBER 30. Arrange for your listing before that date. Call Contract Dept. 9010 Court. NEW YORK TELEPHONE CO. 15 Day Street.

## Overcoats & Suits.

To those who have the wrong impression that to wear good clothes they must necessarily pay high prices, we extend a cordial invitation to inspect our extensive assortment of ready-to-wear Suits and Overcoats.

All our clothing is manufactured on our premises in clean and perfectly equipped workrooms, and placed before our customers at wholesale prices.

We are "Makers and Sellers," and guarantee all our garments, quality considered, to be lower in price than can be found elsewhere.

Overcoats, extra long or medium length, in black or flannel or dark gray oxford. All wool material, silk velvet collar and velvet pockets, \$6.00 to \$25.00

Belt Overcoats, plain or fancy heavy Scotch weaves, date, broad shoulders, all the new designs, \$6.00 to \$15.00

Suits, single and double breasted, in blue or black Thibet, and fancy mixtures. All wool, perfect fitting \$6.00 to \$19.00

Young Men's Suits & Overcoats in the same materials, \$4.50 to \$11.50

Boys' and Children's Suits and Overcoats, \$1.95 to \$5.50

HENRY ESDERS 53-55-57-59 W. 14th St., Near 6th Ave. STORE OPEN SATURDAYS UNTIL 10 P. M.

CLOTHING ON CREDIT FOR LADIES AND GENTLEMEN. No Reference Nor Security Required. \$1.00 PER WEEK WILL KEEP YOU WELL DRESSED. LENOX CLOTHING COMPANY, 2274 3d Ave., near 124th St., 884 Columbus Ave., near 104th St. OPEN EVENINGS.

A Glance in Advance. 3,618 Persons Wanting Help or Positions Used World Want Ads. Last Sunday. Thousands Will Next Sunday.

Just think what this means—3,618 chances to secure work, hire help, buy and sell all kinds of real estate, pianos, furniture, horses, carriages, machinery, diamonds, watches new and second hand personal property of all descriptions, chances to rent furnished rooms, houses, apartments and business property. All on the "Bargain" basis. There is scarcely a place of business entering into either professional or domestic life that cannot be transacted through the agency of these classified advertisements.

For the convenience of readers these thousands of "offers" are arranged together, completely filling a twelve-page section of the Sunday World, universally known as THE WORLD'S WANT DIRECTORY.

Don't miss this great directory next Sunday.

You may get a fairly accurate idea of next Sunday's Help Wanted Directory from the following figures showing the number and nature of Help Wanted and Situation ads. published last Sunday:

Help Wanted.	Situations.
Agents.....13	Hand Sewers.....13
Bakers.....1	Housekeepers.....2
Barbers.....1	Housework.....2
Blindfolders.....1	Improvers.....1
Boys.....101	Janitors.....1
Bookkeepers.....4	Landladies.....1
Bricklayers.....1	Machinists.....1
Cashiers.....1	Men.....1
Cabinetmakers.....1	Millinery.....1
Carpenters.....1	Motors.....1
Cannermen.....1	Painters.....1
Chef.....1	Photographers.....1
Chambermaids.....1	Prepressmen.....1
Computers.....1	Pressmen.....1
Cooks.....1	Refrigerators.....1
Cultivators.....1	Salesladies.....1
Dancers.....1	Shoppers.....1
Designers.....1	Shipping Clerks.....1
Dressmakers.....1	Stenographers.....1
Drivers.....1	Trimmers.....1
Electricians.....1	Tobacco.....1
Embroiderers.....1	Tailors.....1
Engineers.....1	Upholsterers.....1
Errand Boys.....1	Wait Hands.....1
Excavators.....1	Waitresses.....1
Explosives.....1	Writers.....1
Fire Operators.....1	Laundry.....1
Glass.....1	Miscellaneous.....500

The extreme value of these small advertisements may be grasped from the fact that in reply to the comparatively few advertisements published last Sunday, bearing ONLY WORLD office addresses, 7,832 letters were received within 24 hours after publication.